



7-01-04

IFW \$RCE 375

PTO/SB/30 (08-03)

Approved for use through 07/31/2006. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**Request
for
Continued Examination (RCE)
TRANSMITTAL**Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/929,590
Filing Date	August 14, 2001
First Named Inventor	Reynolds, John R.
Art Unit	3763
Examiner Name	Matthew F. DeSanto
Attorney Docket Number	41530-28295

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. **20-0823**.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Kimberly H. Lu	Registration No. (Attorney/Agent)	51,973
Signature	<i>Kim H. Lu</i>	Date	June 30, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail, Mailing Label No. EV482531065US, in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Kimberly H. Lu	Date	June 30, 2004
Signature	<i>Kim H. Lu</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

07/02/2004 CNGUYEN 00000063 200823 09929590

01 FC:1801 2348886 770.00 DA



Please type a plus sign (+) inside this box → 田

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Express Mail No.: EV482531065US		Attorney Docket No.	41530-28295	First Inventor: Reynolds, John R.	
AMENDMENT TRANSMITTAL LETTER Title: DRUG RELEASE (DELIVERY SYSTEM)				Serial No.	09/929,590
				Filing Date	August 14, 2001
				Examiner	Matthew F. DeSanto
				Group Art Unit	3763

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

☒ Large Entity Status

☐ Small Entity status of this application has been established under 37 CFR 1.27

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED - PART II						SMALL ENTITY		OTHER THAN SMALL ENTITY	
	(Column 1)		(Column 2)	(Column 3)					
AMENDMENT	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE	
	Total (37 CFR 1.16(c))	*10	Minus	**53	=0	x \$_____ =	0.00	x \$_____ =	0.00
	Independent (37 CFR 1.16(b))	*2	Minus	***8	=0	x \$_____ =	0.00	x \$_____ =	0.00
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))					x \$_____ =		+ \$_____ =	
					TOTAL ADDIT. FEE	0.00	TOTAL ADDIT. FEE	0.00	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

☐ Petition of Extension of Time.

☒ No additional fee is required for amendment.

☐ A check in the amount of the fee is enclosed.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. 20-0823.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 20-0823.
I have enclosed a duplicate copy of this sheet.

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 C.F.R. 1.17.



Signature

Date: June 30, 2004

Kimberly H. Lu, Reg. No. 51,973
Thompson Coburn LLP
One US Bank Plaza
St. Louis, MO 63101-9928
314-552-6000
314-552-7000 FAX

Custom No.: 021888

2348915

Certificate of Express Mailing

I hereby certify that this document and fee is being deposited with the United States Postal Service as "Express Mail" under 37 C.F.R. 1.10 Label No. EV482531065US on June 30, 2004 and addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Signature: 

Type Name: Kimberly H. Lu

**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
41530-28295

In Re Application Of:
Reynolds, John R. et al.

Serial No.
09/929,590

Filing Date
August 14, 2001

Examiner
Matthew F. DeSanto

Group Art Unit
3763

Title:
DRUG RELEASE (DELIVERY SYSTEM)

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS

Transmitted herewith is:

1. Request for Continued Examination
2. Amendment Transmittal Letter
3. Response & Amendment
4. Postcard

in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. 20-0823 as described below. A duplicate copy of this sheet is enclosed.
- ☒ Charge the amount of \$770.00.
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.


Signature

Dated: June 30, 2004

Kimberly H. Lu, Reg. No. 51,973
Thompson Coburn LLP
One US Bank Plaza, Suite 3500
St. Louis, Missouri 63101-9928
314-552-6000
314-552-7000 FAX

Customer No.:021888

I certify that the document and fee is being deposited on June 30, 2004 with the U.S. Postal Service as Express Mail under 37 C.F.R. 1.10 Label No. EV482531065US and is addressed to the Mail Stop RCE, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Signature of Person Mailing Correspondence

Kimberly H. Lu


Typed or Printed Name of Person Mailing Correspondence

P16B/REV01



CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed herein are being deposited with the United States Postal Service on June 30, 2004 in an envelope as 'Express Mail Post Office To Addressee' Mailing Label No. EV482531065US addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.



Kimberly H. Lu
Reg. No. 51,973

IN THE UNITED STATES PATENTS AND TRADEMARKS OFFICE

In re Application of:)	
John R. Reynolds, et al.)	
)	Examiner: Matthew F. DeSanto
Application No.: 09/929,590)	
)	Group Art Unit: 3763
Filed: August 14, 2001)	
)	
For: DRUG RELEASE (DELIVERY)	
SYSTEM))	

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE & AMENDMENT

SIR or MADAM:

Applicant submits this paper in response to the Advisory Action of April 20, 2004.

Please consider and enter the following amendments and remarks intended to place the above-identified application into proper condition for allowance.

A Listing of Claims begins on page 2 of this paper.

Remarks/ Arguments begin on page 5.